# No. 17

# MICHIGAN HOUSE OF REPRESENTATIVES

# DAILY CALENDAR

TUESDAY, FEBRUARY 26, 2002 2:00 p.m.

### MOTIONS AND RESOLUTIONS

### HB 5250 Rep. Quarles

Legislature; apportionment; redistricting of congressional districts; provide for.

— 1 ——

Creates new act & repeals 1964 PA 282 (MCL 3.51 - 3.55).

(Notice of intent to discharge the Committee on Redistricting and Elections given by Rep. Quarles October 23, 2001.)

(Motion to discharge; record roll call ordered; passed for day October 24. 2001.)

### **5251** Rep. Quarles HB

Legislature; apportionment; redistricting of congressional districts; provide for.

Creates new act & repeals 1964 PA 282 (MCL 3.51 -

(Notice of intent to discharge the Committee on Redistricting and Elections given by Rep. Quarles October 23, 2001.)

(Motion to discharge; record roll call ordered; passed for day October 24, 2001.)

## REPORTS OF STANDING COMMITTEES

— 3 –

# **HR 193** Rep. Cassis

A resolution to honor the 94th combat Infantry Division of World War II by renaming the portion of Highway 94 from exit 92 in the Battle Creek area continuing east to M-66.

(Reported by Committee on Transportation.)

(For text of resolution, see House Journal No. 64 of 2001, page 1952 or e-Blue Book; laid over 1 day October 31, 2001.)

(For text of proposed substitute (H-1), see House Journal No. 78 of 2001, page 2281 or e-Blue Book.)

### MESSAGES FROM THE SENATE

### HB 4647 Rep. Ehardt

Occupations; individual licensing and regulation; respiratory therapists; provide for registration and title protection.

Amends secs. 16186 & 16263 of 1978 PA 368 (MCL 333.16186 & 333.16263) & adds sec. 16338 & pt. 186.

(Returned from Senate with substitute (S-3) and immediate effect; laid over 1 day December 13, 2001.)

(I.E. House July 11, 2001.)

(For House substitute (H-3), see e-Blue Book.)

(For Senate substitute (S-3), see e-Blue Book.)

# †Constitution, Art. IV, Sec. 26.

#House Rule 49.

### 3.55).

HB 5118 Rep. Shackleton Natural resources; gas and oil; slant drilling beneath

(I.E. House October 31, 2001.)

Great Lakes; prohibit except in cases of a state energy emergency.

MESSAGES FROM THE SENATE

\_\_\_\_ 5 \_\_\_\_

Weapons; firearms; transportation requirements for cer-

(Returned from Senate with substitute (S-1) and im-

Amends sec. 231a of 1931 PA 328 (MCL 750.231a).

(For House substitute (H-2), see e-Blue Book.) (For Senate substitute (S-1), see e-Blue Book.)

mediate effect; laid over 1 day January 30.)

Amends secs. 502, 32503 & 33938 of 1994 PA 451 (MCL 324.502 et seq.) & adds sec. 61505a.

(Returned from Senate with substitute (S-4) and immediate effect; laid over 1 day February 13.)

(I.E. House January 24.)

(For House substitute (H-5), see e-Blue Book.)

(For Senate substitute (S-4), see e-Blue Book.)

### HB 4325 Rep. Bisbee

HB 5026 Rep. Vear

tain firearms; clarify.

Crimes; prostitution; criteria for determining prior prostitution offenses; amend to include consideration of local ordinance violations.

Amends sec. 451 of 1931 PA 328 (MCL 750.451).

(Returned from Senate with substitute (S-1) and immediate effect; laid over 1 day February 14.)

(I.E. House December 4, 2001.)

(For House substitute (H-2), see e-Blue Book.)

(For Senate substitute (S-1), see e-Blue Book.)

**—** 8 **—**—

# HB 5033 Rep. Kowall

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of soliciting child to commit an immoral act; enact.

Amends sec. 16g, ch. XVII of 1927 PA 175 (MCL 777.16g).

(Returned from Senate with substitute (S-1) and immediate effect; laid over 1 day February 14.)

(I.E. House December 4, 2001.)

(For House substitute (H-2), see e-Blue Book.)

(For Senate substitute (S-1), see e-Blue Book.)

### MESSAGES FROM THE SENATE

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### **HB** 5449 Rep. Gilbert

Crimes; prostitution; age limit for certain prostitution violations; revise.

Amends secs. 448, 449, 450, 451 & 462 of 1931 PA 328 (MCL 750.448 et seq.).

(Returned from Senate with substitute (S-1) and immediate effect; laid over 1 day February 14.)

(I.E. House December 4, 2001.)

(For House substitute (H-3), see e-Blue Book.)

(For Senate substitute (S-1), see e-Blue Book.)

— 10 ——

# HB 5393 Rep. Faunce

Criminal procedure; sentencing guidelines; technical amendments; provide for.

Amends sec. 12, ch. XVII of 1927 PA 175 (MCL 777.12) & adds secs. 12a, 12b, 12c, 12d, 12e, 12f, 12g, 12h, 12j & 12k to ch. XVII.

(Returned from Senate with substitute (S-1) and immediate effect; laid over 1 day February 21.)

(I.E. House December 6, 2001.)

(For House substitute (H-3), see e-Blue Book.)

(For Senate substitute (S-1), see e-Blue Book.)

### THIRD READING

\_\_\_\_\_ 11 \_\_\_\_\_

### **HB** 4193 Rep. Ehardt

Vehicles; license plates; motor vehicle plate fee for certain veterans; reduce.

Amends sec. 803e of 1949 PA 300 (MCL 257.803e).

(Reported by Committee on Transportation.)

(For House amendment, see House Journal No. 20 of 2001, page 231 or e-Blue Book.)

- 12 -----

### **HB** 4454 Rep. Patterson

Taxation; other; airport parking tax act; repeal. Repeals 1987 PA 248 (MCL 207.371 - 207.383).

(Reported by Committee on Tax Policy.)

(Defeated; motion to reconsider; passed for day October 11, 2001.)

(For House substitute (H-3), see e-Blue Book.)

\_\_\_\_ 13 \_\_\_\_\_

# HB 5270 Rep. Caul

Criminal procedure; search and seizure; search warrant affidavits; revise procedures.

Amends secs. 4 & 5 of 1966 PA 189 (MCL 780.654 & 780.655).

(Reported by Committee on Criminal Justice.)

(Read a third time; passed for day November 1, 2001.)

(For House amendment, see House Journal No. 77 of 2001, page 2248 or e-Blue Book.)

\_\_\_\_ 14 \_\_\_\_\_

### HB 5283 Rep. Hale

Criminal procedure; evidence; prior acts of domestic violence; allow to be admissible as evidence.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 27b to ch. VIII.

(Reported by Committee on Criminal Justice.)

(Read a third time; passed for day November 1, 2001.)

(For House substitute (H-2), see e-Blue Book.)

### THIRD READING

<del>\_\_\_\_</del> 15 <del>\_\_\_\_\_</del>

### **HB** 4870 Rep. Thomas

Housing; condominium; cities with population over 1,000,000; revise to 750,000.

Amends sec. 141 of 1978 PA 59 (MCL 559.241).

(Reported by Committee on Local Government and Urban Policy.)

(Defeated; vote reconsidered; passed for day December 6, 2001.)

\_\_\_\_ 16 \_\_\_\_\_

# HB 4165 Rep. Stamas

Income tax; exemptions; additional personal exemption for certain stillbirths; provide for.

Amends sec. 30 of 1967 PA 281 (MCL 206.30).

(Reported by Committee on Tax Policy.)

# **HB** 4410 Rep. Pumford

Natural resources; other; deed restrictions on certain property owned by the school districts; revise.

Amends sec. 52706 of 1994 PA 451 (MCL 324.52706).

(Reported by Committee on Education.)

(For House substitute (H-1), see e-Blue Book.)

\_\_\_\_\_ 18 \_\_\_\_\_

# SB 437 Sen. Bullard

Sales tax; exemptions; aircraft weighing over 6,000 pounds carrying cargo, passengers, or a combination of cargo and passengers; exempt sale or sale for lease.

Amends sec. 4x of 1933 PA 167 (MCL 205.54x).

(Reported by Committee on Tax Policy.)

(For House substitute (H-2), see e-Blue Book.)

(For Senate substitute (S-1), see e-Blue Book.)

### SB 576 Sen. Bullard

Use tax; exemptions; aircraft weighing over 6,000 pounds carrying cargo, passengers, or a combination of cargo and passengers; exempt from sale or sale for lease.

Amends sec. 4 of 1937 PA 94 (MCL 205.94).

(Reported by Committee on Tax Policy.)

(For Senate substitute (S-1), see e-Blue Book.)

\_\_\_\_ 20 \_\_\_\_\_

# SB 592 Sen. Bullard

Insurance; third party administrators; requirement that third party administrators have administrative service manager; eliminate.

Amends secs. 14 & 18 of 1984 PA 218 (MCL 550.914 & 550.918) & repeals secs. 16 & 62 of 1984 PA 218 (MCL 550.916 & 550.962).

(Reported by Committee on Insurance and Financial Services.)

<del>\_\_\_\_ 21 \_\_\_\_\_\_</del>

### **HB** 5108 Rep. Vander Roest

Retirement; generally; public pension protection act; enact.

Creates new act.

(Reported by Committee on Appropriations.)

# THIRD READING \_\_\_\_ 22 \_\_\_\_\_ **HB** 5109 Rep. Voorhees Retirement; state employees; public pension protection; provide for. Amends secs. 31, 40 & 69 of 1943 PA 240 (MCL 38.31 (Reported by Committee on Appropriations.) \_\_\_\_ 23 \_\_\_\_ **HB** 5110 Rep. Caul Retirement; public school employees; public pension protection; provide for. Amends secs. 46 & 85 of 1980 PA 300 (MCL 38.1346 & 38.1385). (Reported by Committee on Appropriations.) \_\_\_\_\_ 24 \_\_\_\_\_ **HB** 5111 Rep. Howell Retirement; fire and police; public pension protection; provide for. Amends secs. 6 & 9 of 1937 PA 345 (MCL 38.556 & 38.559). (Reported by Committee on Appropriations.) \_\_\_\_\_ 25 \_\_\_\_ **5112** Rep. Lipsey Retirement; judges; public pension protection; provide Amends secs. 308, 506 & 720 of 1992 PA 234 (MCL 38.2308 et seq.). (Reported by Committee on Appropriations.) \_\_\_\_\_ 26 \_\_\_\_\_ 5113 Rep. Cameron Brown Retirement; state police; public pension protection; provide for. Amends sec. 43 of 1986 PA 182 (MCL 38.1643). (Reported by Committee on Appropriations.) \_\_\_\_ 27 \_\_\_\_\_ HB 5114 Rep. Thomas Retirement; legislative; public pension protection; provide for. Amends secs. 57 & 80 of 1957 PA 261 (MCL 38.1057 & (Reported by Committee on Appropriations.) \_\_\_\_ 28 \_\_\_\_\_ HB 5021 Rep. Allen

# Traffic control; speed restrictions; penalties for violation of speed limit in construction zone; increase number of points added to driving record. Amends sec. 320a of 1949 PA 300 (MCL 257.320a). (Reported by Committee on Transportation.) (For House substitute (H-1), see e-Blue Book.) \_\_\_\_ 29 \_\_\_\_\_ HB 5591 Rep. Cassis Income tax; forms; explanations of credits and deductions on tax forms and treasury website; require. Amends sec. 471 of 1967 PA 281 (MCL 206.471).

(Reported by Committee on Tax Policy.)

### SECOND READING

\_\_\_\_ 30 \_\_\_\_\_

\*SB 371 Sen. Schwarz

Income tax; credit; tuition tax credit; eliminate.

Repeals sec. 274 of 1967 PA 281 (MCL 206.274).

(Reported by Committee on Appropriations.)

(For proposed House substitute (H-11), see e-Blue

(For Senate substitute (S-5), see e-Blue Book.)

**HB 4157** Rep. Hart

Public employees and officers; faith community liaison;

\_\_\_\_ 31 \_\_\_\_

Creates new act.

(Reported by Committee on Family and Children

(For proposed House substitute (H-5), see e-Blue Book.)

HB 4328 Rep. Richner

Labor; hours and wages; living wage requirement by local units of government; preempt.

<del>\_\_\_\_ 32 \_\_\_\_\_</del>

Amends title and sec. 3 of 1964 PA 154 (MCL 408.383).

(Reported by Committee on Employment Relations, **Training and Safety.**)

(Read a second time; passed for day May 31, 2001.)

\_\_\_\_\_ 33 \_\_\_\_\_

HB **4308** Rep. Birkholz

> Use tax; exemptions; vehicles donated by nonprofit organizations to certain individuals; provide for.

> Amends 1937 PA 94 (MCL 205.91 - 205.111) by adding

(Reported by Committee on Tax Policy.)

HB **4351** Rep. Cameron Brown

Elections; ballots; printed instructions on ballots, voting devices, and placards clarifying assistance of election officials; require.

Amends secs. 560, 666, 706 & 777 of 1954 PA 116 (MCL 168.560 et seq.).

(Reported by Committee on Redistricting and **Elections.**)

(For proposed House substitute (H-3), see e-Blue Book.)

\_\_\_\_ 35 \_\_\_\_\_\_

4634 Rep. Richner HB

HB

Children; adoption; provisions governing father of a child born out of wedlock; revise.

Amends sec. 39, ch. X of 1939 PA 288 (MCL 710.39).

(Reported by Committee on Civil Law and the Judiciary.)

(For proposed House substitute (H-4), see e-Blue Book.)

<del>\_\_\_\_ 36 \_\_\_\_\_</del>

4697 Rep. Gilbert

Natural resources; hunting; prohibition on Sunday hunting in St. Clair county; repeal.

Repeals 1939 LA 4.

(Reported by Committee on Conservation and Outdoor Recreation.)

\_\_\_\_ 37 \_\_\_\_\_

### **HB** 4226 Rep. Bradstreet

Civil rights; religious discrimination; certain displays on public property; authorize and regulate.

Creates new act.

(Reported by Committee on House Oversight and Operations.)

(Read a second time; passed for day October 23, 2001.)

### **HB** 4105 Rep. Shulman

Elections; absent voters; absent voter ballot availability; provide for with no reason required.

Amends secs. 758, 759 & 759b of 1954 PA 116 (MCL 168.758 et seq.).

(Reported by Committee on Redistricting and Elections.)

<del>\_\_\_\_ 39 \_\_\_\_\_</del>

### **HB** 4150 Rep. Tabor

Natural resources; fishing; aquatic species protection act; codify.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 481 & repeals pts. 411, 451 - 479 & 485 - 491; repeals 1929 PA 22 (MCL 317.241 - 317.245) & repeals 1935 PA 179 (MCL 308.141 - 308.143).

(Reported by Committee on Conservation and Outdoor Recreation.)

(For proposed House substitute (H-4), see e-Blue Book.)

**—** 40 **—** 

### **HB** 4151 Rep. Tabor

Natural resources; fishing; aquatic species protection act; exempt orders from rule making requirements of administrative procedures act.

Amends sec. 7 of 1969 PA 306 (MCL 24.207).

(Reported by Committee on Conservation and Outdoor Recreation.)

(For proposed House substitute (H-2), see e-Blue Book.)

# **HB** 4737 Rep. Tabor

Natural resources; fishing; consultation of department of agriculture with department of natural resources; provide for under aquaculture development act.

Amends secs. 2 & 3 of 1996 PA 199 (MCL 286.872 & 286.873).

(Reported by Committee on Conservation and Outdoor Recreation.)

(For proposed House substitute (H-2), see e-Blue Book.)

42 —

### **HB 4821** Rep. Toy

Vehicles; equipment; waiver of fines for certain child car restraint system violations; provide for under certain circumstances.

Amends sec. 907 of 1949 PA 300 (MCL 257.907).

(Reported by Committee on Transportation.)

### SECOND READING

<del>------ 43 ------</del>

### **HB** 4822 Rep. Lockwood

Vehicles; equipment; child safety seats for children 80 pounds or less; require.

Amends sec. 710e of 1949 PA 300 (MCL 257.710e).

(Reported by Committee on Transportation.)

(For proposed House substitute (H-1), see e-Blue Book.)

### HB 4823 Rep. DeRossett

Vehicles; motorcycles; crash helmets; provide exceptions under certain circumstances.

Amends sec. 658 of 1949 PA 300 (MCL 257.658).

(Reported by Committee on Transportation.)

45 ———

# **HB** 4800 Rep. Kuipers

Education; public school academies; revisions to charter school law with respect to oversight and regulation; provide for

Amends secs. 501, 502, 503, 504, 504a, 506, 507, 1701a & 1711 of 1976 PA 451 (MCL 380.501 et seq.) & adds secs. 503b, 1320 & 1814.

(Reported by Committee on Education.)

(For proposed House substitute (H-2), see e-Blue Book.)

### **HB** 4225 Rep. Bradstreet

Veterans; cemeteries; cemetery for veterans; create.

Creates new act.

(Reported by Committee on Veterans Affairs.)

(For proposed House substitute (H-4), see e-Blue Book.)

### HB 4232 Rep. Mead

Taxation; severance; distribution formula for severance tax; modify.

Amends 1929 PA 48 (MCL 205.301 - 205.317) by adding sec. 14a.

(Reported by Committee on Conservation and Outdoor Recreation.)

48

# HB 4233 Rep. Bradstreet

Taxation; severance; distribution of oil and gas severance tax revenue; revise.

Amends sec. 14 of 1929 PA 48 (MCL 205.314).

(Reported by Committee on Conservation and Outdoor Recreation.)

49

# HB 4726 Rep. Jamnick

Civil procedure; costs and fees; certain statutory attorney fees; revise.

Amends sec. 5759 of 1961 PA 236 (MCL 600.5759).

(Reported by Committee on Civil Law and the Judiciary.)

(For proposed House amendment, see House Journal No. 57 of 2001, page 1162 or e- Blue Book.)

\_\_\_\_ 50 \_\_\_\_\_

### **HB** 4818 Rep. Mortimer

State; historic sites; Vietnam memorial monument; allow monument fund to be used for maintenance of monument and memorial park.

Amends title & secs. 3 & 7 of 1988 PA 234 (MCL 35.1053 & 35.1057).

(Reported by Committee on Appropriations.)

(For proposed House substitute (H-1), see e-Blue Book.)

\_\_\_\_\_\_ 51 \_\_\_\_\_

**HB 4288** Rep. Jamnick

Animals; other; euthanasia of animal for rabies testing; allow local health officer to order before expiration of quarantine period.

Amends secs. 5101 & 5111 of 1978 PA 368 (MCL 333.5101 & 333.5111).

(Reported by Committee on Health Policy.)

(For proposed House substitute (H-1), see e-Blue Book.)

\_\_\_\_\_ 52 \_\_\_\_\_

# **HB** 5003 Rep. Birkholz

Public utilities; electric utilities; alternative suppliers; require certain notices.

Amends sec. 10q of 1939 PA 3 (MCL 460.10q).

(Reported by Committee on Energy and Technology.) (For proposed House substitute (H-2), see e-Blue Book.)

\_\_\_\_ 53 \_\_\_\_

### SB 346 Sen. Van Regenmorter

Torts; liability; definition of wrongful or negligent act against a pregnant individual; expand to include the death of the embryo or fetus.

Amends sec. 2922a of 1961 PA 236 (MCL 600.2922a).

(Reported by Committee on Civil Law and the Judiciary.)

(For Senate substitute (S-1), see e-Blue Book.)

\_\_\_\_\_ 54 \_\_\_\_\_

### SB 468 Sen. Cherry

Property; conveyances; certain state owned property in Genesee county; provide for conveyance.

(Reported by Committee on Regulatory Reform.)

\_\_\_\_ 55 \_\_\_\_\_

# HB 5127 Rep. Stewart

Highways; name; portion of I-94 in Battle Creek; designate as the "94th Combat Infantry Division Memorial Highway".

Creates new act.

(Reported by Committee on Transportation.)

(For proposed House substitute (H-1), see e-Blue Book.)

56

# HB 5242 Rep. Vander Veen

State agencies (existing); family independence agency; pilot foster and adoptive parent resource centers; mandate family independence agency to establish.

Amends sec. 8 of 1994 PA 203 (MCL 722.958).

(Reported by Committee on Family and Children Services.)

(For proposed House substitute (H-1), see e-Blue Book.)

### SECOND READING

### **HB** 4991 Rep. Kuipers

Education; school districts; student use of cellular phones and pagers in school; provide authority to local school boards to regulate or allow.

Amends sec. 1303 of 1976 PA 451 (MCL 380.1303).

(Reported by Committee on Education.)

(Read a second time; House substitute (H-1) offered; passed for day February 19.)

(For proposed House substitute (H-1), see e-Blue Book.)

\_\_\_\_ 58 \_\_\_\_\_

# **HB 4329** Rep. Gosselin

Education; other; reference to prevailing wage act; eliminate.

Amends secs. 503 & 1311e of 1976 PA 451 (MCL 380.503 & 380.1311e).

(Reported by Committee on Employment Relations, Training and Safety.)

### **HB** 4383 Rep. Gosselin

Labor; hours and wages; prevailing wage on public school, bridge, highway, and road projects; eliminate.

Amends sec. 1 of 1965 PA 166 (MCL 408.551).

(Reported by Committee on Employment Relations, Training and Safety.)

(For proposed House substitute (H-1), see e-Blue Book.)

### **HB** 5188 Rep. Gosselin

Education; other; certain types of discrimination in school construction contracts; prohibit.

Amends sec. 1267 of 1976 PA 451 (MCL 380.1267).

(Reported by Committee on Employment Relations, Training and Safety.)

61

# **HB** 4537 Rep. DeWeese

Health facilities; patients; governor's commission on patient safety; create.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 20188.

(Reported by Committee on Health Policy.)

(For proposed House substitute (H-3), see e-Blue Book.)

62 —

# **HB 4667** Rep. Cassis

Income tax; credit; contributions to a historical museum; provide for credit.

Amends sec. 260 of 1967 PA 281 (MCL 206.260).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see e-Blue Book.)

**—** 63 **—** 

### HB 4826 Rep. Shackleton

Law enforcement; peace officers; survivor benefits for certain law enforcement officers killed in the line of duty; provide to surviving spouse or dependents.

Creates new act.

(Reported by Committee on Appropriations.)

(For proposed House substitute (H-6), see e-Blue Book.)

<del>\_\_\_\_\_</del> 64 <del>\_\_\_\_\_</del>

### **HB** 5478 Rep. Cameron Brown

Natural resources; hunting; authority to designate species as game; transfer to natural resources commission.

Amends secs. 40103 & 40113a of 1994 PA 451 (MCL 324.40103 & 324.40113a) & repeals sec. 40110 of 1994 PA 451 (MCL 324.40110).

(Reported by Committee on Conservation and Outdoor Recreation.)

(For proposed House substitute (H-3), see e-Blue Book.)

\_\_\_\_ 65 \_\_\_\_\_

### HB 5316 Rep. Jansen

Human services; other; contracting with faith-based organizations; allow.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 14h.

(Reported by Committee on Family and Children Services.)

(For proposed House substitute (H-3), see e-Blue Book.)

<del>\_\_\_\_\_</del> 66 \_\_\_\_

### SB 3 Sen. Johnson

Environmental protection; solid waste; procedure for dissolution of certain refuse collection authority; provide for.

Amends 1947 PA 179 (MCL 123.301 - 123.310) by adding sec. 11.

(Reported by Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-2), see e-Blue Book.)

(For Senate substitute (S-7), see e-Blue Book.)

67 —

### **HB 5453** Rep. Vear

Income tax; other; threshold for estimated tax payments; revise.

Amends sec. 301 of 1967 PA 281 (MCL 206.301).

(Reported by Committee on Tax Policy.)

<del>-----</del> 68 <del>-------</del>

### HB 5129 Rep. Julian

Records; birth; adoptee's birth certificate; authorize inclusion of names of both birth and adoptive parents under certain circumstances.

Amends secs. 67 & 68, ch. X of 1939 PA 288 (MCL 710.67 & 710.68).

(Reported by Committee on Family and Children Services.)

<del>\_\_\_\_\_ 69 \_\_\_\_</del>

### SB 639 Sen. Bullard

Insurance; insurers; priority of claims distribution; modfy.

Amends sec. 8142 of 1956 PA 218 (MCL 500.8142).

(Reported by Committee on Insurance and Financial Services.)

(For Senate substitute (S-2), see e-Blue Book.)

### SECOND READING

### **HB 4237** Rep. Rocca

Education; teachers; certification in cardiopulmonary resuscitation; require for new teacher certification.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1531d.

(Reported by Committee on Education.)

(For proposed House substitute (H-1), see e-Blue Book.)

# HB 5049 Rep. Scranton

Education; examinations; disclosure of MEAP or other state test scores prior to notification or response by a school district; prohibit.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1279a.

(Reported by Committee on Education.)

(For proposed House substitute (H-1), see e-Blue Book.)

**—** 72 **————** 

### HB 4827 Rep. Shackleton

Retirement; fire and police; death benefits for spouse of slain law enforcement officer; prohibit suspension of benefits for spouse who remarries.

Amends secs. 6, 6a & 6b of 1937 PA 345 (MCL 38.556 et seq.).

(Reported by Committee on Senior Health, Security and Retirement.)

(For proposed House substitute (H-1), see e-Blue Book.)

### **HB** 4599 Rep. Minore

Trade; hazardous substances; sale of mercury thermometers in the state of Michigan; prohibit.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 172.

(Reported by Committee on Commerce.)

(For proposed House substitute (H-1), see e-Blue Book.)

# HB 5454 Rep. Bishop

Torts; liability; governmental liability for negligence; add volunteers to certain provisions.

Amends title & secs. 8 & 9 of 1964 PA 170 (MCL 691.1408 & 691.1409).

(Reported by Committee on Civil Law and the Judiciary.)

# **HB** 5484 Rep. Tabor

Human services; children's services; foster care youth networks; establish.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 18e.

(Reported by Committee on Family and Children Services.)

(For proposed House substitute (H-1), see e-Blue Book.)

# FEBRUARY 26, 2002 SECOND READING — 76 ——— **HB** 5479 Rep. Adamini Highways; name; renaming a certain portion of M-28; designate as "Veterans Memorial Highway". Amends 2001 PA 142 (MCL 250.1001 - 250.1100) by adding sec. 79. (Reported by Committee on Transportation.) \_\_\_\_\_\_ *77* \_\_\_\_\_ **794** Sen. Schwarz SB Records; birth; live birth records over 100 years old; allow any person to obtain a certified copy from the state registrar or a local registrar. Amends sec. 2882 of 1978 PA 368 (MCL 333.2882). (Reported by Committee on Health Policy.) <del>------ 78 -------</del> SB 678 Sen. Bullard Use tax; collections; motor vehicles held for resale; define price tax base after 1,000 miles. Amends sec. 3 of 1937 PA 94 (MCL 205.93). (Reported by Committee on Tax Policy.) (For Senate substitute (S-1), see e-Blue Book.) <del>\_\_\_ 79 \_\_\_\_\_</del> SB 451 Sen. Schuette Insurance; health; timely payment of health care benefits; provide for and establish penalties for noncompliance. Amends sec. 2006 of 1956 PA 218 (MCL 500.2006). (Reported by Committee on Insurance and Financial Services.) (For proposed House substitute (H-1), see e-Blue Book.) (For Senate substitute (S-3), see e-Blue Book.) SB 452 Sen. Schuette Insurance; health care corporations; timely payment of health care benefits; provide for and establish penalties for noncompliance. Amends sec. 403 of 1980 PA 350 (MCL 550.1403). (Reported by Committee on Insurance and Financial Services.) (For Senate substitute (S-2), see e-Blue Book.)

HB 5466 Rep. Richner

Elections; petitions; requirement for listing of post office box on petitions; eliminate.

Amends secs. 46, 544c, 552, 590f, 590h & 759 of 1954 PA 116 (MCL 168.46 et seq.).

(Reported by Committee on Redistricting and Elections.)

(For proposed House substitute (H-1), see e-Blue Book.)

**SB** 385 Sen. Sikkema 82

Education; board members; signature requirement for office of school board; revise and allow payment of filing fee instead of filing nominating petitions.

Amends secs. 614, 617 & 1066 of 1976 PA 451 (MCL 380.614 et seq.).

(Reported by Committee on Redistricting and Elections.)

(For Senate substitute (S-1), see e-Blue Book.)

### SECOND READING

<del>\_\_\_\_\_</del> 83 <del>\_\_\_\_\_</del>

SB 386 Sen. McCotter

Elections; candidates; nominating petition signature requirements for county commissions; revise.

Amends sec. 11 of 1966 PA 261 (MCL 46.411).

(Reported by Committee on Redistricting and Elections.)

(For Senate substitute (S-1), see e-Blue Book.)

SB 387 Sen. Hammerstrom

Libraries; district; signature requirement for individuals running for district library board; revise.

<del>\_\_\_\_\_ 84 \_\_\_\_\_\_</del>

Amends sec. 11 of 1989 PA 24 (MCL 397.181).

(Reported by Committee on Redistricting and Elections.)

(For Senate substitute (S-2), see e-Blue Book.)

85 —

SB 388 Sen. Hammerstrom

Libraries; other; signature requirement for office of library board; revise.

Amends sec. 11 of 1877 PA 164 (MCL 397.211).

(Reported by Committee on Redistricting and Elections.)

(For Senate substitute (S-1), see e-Blue Book.)

HB 4848 Rep. Stamas

Law enforcement; other; provision regarding the appointment of unqualified undersheriff or deputy sheriff; repeal.

Repeals sec. 486 of 1931 PA 328 (MCL 750.486).

(Reported by Committee on Criminal Justice.)

87 ———

HB 5576 Rep. Faunce

Criminal procedure; sentencing guidelines; technical amendments; provide for.

Amends sec. 15, ch. XVII of 1927 PA 175 (MCL 777.15) & adds secs. 15a, 15b, 15d, 15f & 15g.

(Reported by Committee on Criminal Justice.)

(For proposed House amendment, see House Journal No. 11, page 188 or e-Blue Book.)

\_\_\_\_\_ 88 \_\_\_\_\_

SB 811 Sen. Bullard

Transportation; other; use of rights-of-way, structures, welcome centers, and rest stops for commercial intelligent transportation system applications; allow.

Amends sec. 2 of 1941 PA 205 (MCL 252.52).

(Reported by Committee on Commerce.)

\_\_\_\_\_ 89 \_\_\_\_\_\_

SB 812 Sen. Bullard

Transportation; other; use of rights-of-way, structures, welcome centers, and rest stops for commercial intelligent transportation system applications; allow.

Amends sec. 13 of 1925 PA 368 (MCL 247.183) & adds sec. 1a.

(Reported by Committee on Commerce.)

——— 90 ————

### HB 4275 Rep. Koetje

Local government; other; local government suing a person for the production of a legal product on behalf of residents; prohibit.

Creates new act.

(Reported by Committee on Civil Law and the Judiciary.)

(For proposed House substitute (H-2), see e-Blue Book.)

<del>-----</del> 91 <del>-------</del>

# HB 5545 Rep. Hart

Family law; marriage and divorce; Michigan commission on marriage and fatherhood; create.

Creates new act.

(Reported by Committee on Family and Children Services.)

(For proposed House substitute (H-2), see e-Blue

# SB 627 Sen. Hammerstrom

Construction; equipment; technical amendments; provide

Amends sec. 4 of 1997 PA 16 (MCL 408.684).

(Reported by Committee on Family and Children Services.)

(For Senate substitute (S-1), see e-Blue Book.)

\_\_\_\_\_ 93 \_\_\_\_\_

# HB 4602 Rep. Shulman

Holidays; Holocaust remembrance week; establish. Creates new act.

(Reported by Committee on House Oversight and **Operations.**)

### SB 395 Sen. McCotter

Holidays; "Michigan day of remembrance of the Armenian genocide of 1915-1923"; designate as April 24.

Creates new act.

(Reported by Committee on House Oversight and **Operations.**)

(For Senate substitute (S-1), see e-Blue Book.)

95 —

### HB 5154 Rep. Neumann

Crimes; penalties; penalty for harassing or impeding a guide dog; increase.

Amends sec. 50a of 1931 PA 328 (MCL 750.50a).

(Reported by Committee on Criminal Justice.)

# **HB** 5600 Rep. Kowall

Crimes; other; recklessly endangering the safety of an emergency response worker; prohibit and provide a penalty. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding

sec. 479c.

(Reported by Committee on Criminal Justice.)

(For proposed House substitute (H-1), see e-Blue Book.)

### SECOND READING

### **HB** 5601 Rep. Kowall

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of endangering emergency response worker; enact.

Amends sec. 16x, ch. XVII of 1927 PA 175 (MCL 777.16x).

(Reported by Committee on Criminal Justice.)

### SB 517 Sen. Hammerstrom

Occupations; physicians; referral of patients to facilities in which a physician has a financial interest; allow under certain circumstances.

Amends sec. 16221 of 1978 PA 368 (MCL 333.16221).

(Reported by Committee on Health Policy.)

(For proposed House substitute (H-1), see e-Blue Book.)

\_\_\_\_\_ 99 \_\_\_\_\_

### SB 1005 Sen. Scott

Health facilities; hospitals; biohazard detection and handling plan; require each hospital to establish.

Amends sec. 21513 of 1978 PA 368 (MCL 333.21513).

(Reported by Committee on Health Policy.)

\_\_\_\_\_ 100 \_\_\_\_\_

# HB 5107 Rep. Vander Roest

Worker's compensation; disabilities; members of a volunteer underwater diving team; include.

Amends sec. 161 of 1969 PA 317 (MCL 418.161).

(Reported by Committee on Employment Relations, **Training and Safety.**)

\_\_\_\_ 101 \_\_\_\_\_

### HB 5314 Rep. Faunce

Labor; fair employment practices; employee consent for the disclosure of certain statements made by law enforcement personnel to their employer under certain circumstances; require.

Amends title of 1978 PA 397 (MCL 423.501 - 423.512) & adds sec. 9a.

(Reported by Committee on Employment Relations, Training and Safety.)

(For proposed House substitute (H-1), see e-Blue Book.)

HB 5540 Rep. Bisbee

State: co-1 State; escheats; unclaimed payroll checks under \$100.00;

Amends sec. 16 of 1995 PA 29 (MCL 567.236).

(Reported by Committee on Employment Relations, **Training and Safety.)** 

(For proposed House substitute (H-1), see e-Blue Book.)

\_\_\_\_ 103 \_\_\_\_\_

### **HB** 5661 Rep. Patterson

Legislature; auditor general; reference to auditor general for certain expenses; eliminate.

Amends secs. 1 & 2 of 1897 PA 153 (MCL 14.111 & 14.112).

(Reported by Committee on House Oversight and **Operations.**)

**HB** 5670 Rep. Jacobs

**Operations.**)

HB 5671 Rep. Jacobs

**Operations.**)

in home rule village act; eliminate.

in fourth class city act; eliminate.

Amends sec. 9 of 1909 PA 278 (MCL 78.9).

Amends sec. 4 of 1895 PA 215 (MCL 102.4).

<del>\_\_\_\_\_ 111 \_\_\_\_\_\_</del>

Legislature; auditor general; reference to auditor general

(Reported by Committee on House Oversight and

# SECOND READING \_\_\_\_ 104 \_\_\_\_\_ **HB** 5662 Rep. Patterson Legislature; auditor general; reference to auditor general in department of treasury collections; eliminate. Amends sec. 3 of 1927 PA 375 (MCL 14.133). (Reported by Committee on House Oversight and **Operations.**) \_\_\_\_\_ 105 \_\_\_\_\_ 5663 Rep. Patterson Legislature; auditor general; reference to auditor general; Repeals 1879 PA 200 (MCL 15.41), 1948 (2nd Ex Sess) PA 1 (MCL 15.201 - 15.202) & sec. 3 of 1861 PA 111 (MCL 21.183). (Reported by Committee on House Oversight and **Operations.**) \_\_\_\_ 106 \_\_\_\_\_ HB 5666 Rep. Julian Legislature; auditor general; reference to auditor general in claims to the state police; eliminate. Amends sec. 12a of 1935 PA 59 (MCL 28.12a). (Reported by Committee on House Oversight and **Operations.**) \_\_\_\_ 107 \_\_\_\_\_ **HB** 5667 Rep. Julian Legislature; auditor general; reference to auditor general in state employees' retirement act; eliminate. Amends sec. 9 of 1943 PA 240 (MCL 38.9). (Reported by Committee on House Oversight and **Operations.**) \_\_\_\_ 108 \_\_\_\_\_ HB 5668 Rep. Patterson Legislature; auditor general; reference to auditor general in assessment on certain improvements; eliminate. Amends sec. 10 of 1931 PA 246 (MCL 41.280). (Reported by Committee on House Oversight and **Operations.**) \_\_\_\_\_ 109 \_\_\_\_\_ **HB** 5669 Rep. Patterson Legislature; auditor general; reference to auditor general in audit of county sheriffs; eliminate. Amends sec. 82 of 1846 RS 14 (MCL 51.82). (Reported by Committee on House Oversight and **Operations.**) \_\_\_\_ 110 \_\_\_\_\_

# SB SB Legislature; auditor general; reference to auditor general (Reported by Committee on House Oversight and

### SECOND READING

\_\_\_\_ 112 \_\_\_\_\_

**HB** 5672 Rep. Lipsey

Legislature; auditor general; reference to auditor general in disconnection of land from cities or villages; eliminate.

Amends sec. 4 of 1949 PA 123 (MCL 123.34).

(Reported by Committee on House Oversight and **Operations.**)

<del>\_\_\_\_</del> 113 <del>\_\_\_\_\_</del> HB 5673 Rep. Lipsey

Legislature; auditor general; reference to auditor general receiving notice of vacancy in public offices; eliminate.

Amends sec. 1 of 1879 PA 190 (MCL 201.91).

(Reported by Committee on House Oversight and **Operations.**)

— 114 ———

<del>\_\_\_\_\_ 115 \_\_\_\_\_\_</del>

SB 884 Sen. McCotter

Legislature; auditor general; reference to auditor general in vocational education acts; eliminate.

Amends secs. 7 & 8 of 1919 PA 149 (MCL 395.7 &

(Reported by Committee on House Oversight and **Operations.**)

885 Sen. McCotter

Legislature; auditor general; reference to auditor general in social welfare act; eliminate.

Amends sec. 15 of 1939 PA 280 (MCL 400.15).

(Reported by Committee on House Oversight and **Operations.**)

SB 886 Sen. McCotter

> Legislature; auditor general; reference to auditor general regarding commitment to certain institutions; eliminate.

Amends sec. 2 of 1921 PA 59 (MCL 404.32).

(Reported by Committee on House Oversight and **Operations.**)

\_\_\_\_ 117 \_\_\_\_\_ 888 Sen. McCotter

Legislature; auditor general; reference to auditor general regarding certain auction duties; eliminate.

Amends sec. 30 of 1846 RS 21 (MCL 446.30).

(Reported by Committee on House Oversight and **Operations.**)

— 118 ———

SB 890 Sen. McCotter

Legislature; auditor general; reference to auditor general regarding Michigan dairymen's association; eliminate.

Amends sec. 2 of 1909 PA 263 (MCL 453.452).

(Reported by Committee on House Oversight and **Operations.**)

(For Senate substitute (S-1), see e-Blue Book.)

SB 894 Sen. McCotter

Legislature; auditor general; reference to auditor general in the code of criminal procedure; eliminate.

— 119 ———

Amends sec. 26a, ch. XIV & sec. 6, ch. XVI of 1927 PA 175 (MCL 774.26a & 776.6).

(Reported by Committee on House Oversight and **Operations.**)

### SB 895 Sen. McCotter

Legislature; auditor general; reference to auditor general in the prison code; eliminate.

Amends secs. 49 & 61 of 1893 PA 118 (MCL 800.49 & 800.61).

(Reported by Committee on House Oversight and Operations.)

### **HB** 4377 Rep. Voorhees

Education; other; membership of certain advisory boards and councils; require to consist mostly of parents.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1206.

(Reported by Committee on Education.)

(For proposed House substitute (H-1), see e-Blue Book.)

\_\_\_\_ 122 \_\_\_\_\_

### SB 645 Sen. Garcia

Traffic control; driver license; person making false bomb threat; include penalty prohibiting eligibility to obtain driver license until 21 years of age.

Amends secs. 303, 310e, 319 & 732 of 1949 PA 300 (MCL 257.303 et seq.).

(Reported by Committee on Education.)

(For Senate substitute (S-2), see e-Blue Book.)

<del>\_\_\_\_ 123 \_\_\_\_\_\_</del>

### **HB** 4436 Rep. Bogardus

Liquor; other; penalties for death of certain individuals as a result of selling alcohol to a minor; increase.

Amends sec. 701 of 1998 PA 58 (MCL 436.1701).

(Reported by Committee on Regulatory Reform.)

### SB 116 Sen. Schuette

Occupations; pawnbrokers; regulation of pawnbrokers; revise to include other governmental units.

Amends title & secs. 1, 2, 3, 5, 6, 8 & 19 of 1917 PA 273 (MCL 446.201 et seq.).

(Reported by Committee on Regulatory Reform.)

— 125 ———

### **HB** 5057 Rep. Switalski

Elections; candidates; filing deadline for write-in candidates; revise to Tuesday before the election.

Amends sec. 737a of 1954 PA 116 (MCL 168.737a).

(Reported by Committee on Redistricting and Elections.)

(For proposed House substitute (H-1), see e-Blue Book.)

<del>\_\_\_\_\_ 126 \_\_\_\_\_\_</del>

### HB 5185 Rep. LaSata

Elections; recall; criteria for recall petition; add.

Amends secs. 952 & 968 of 1954 PA 116 (MCL 168.952 & 168.968).

(Reported by Committee on Redistricting and Elections.)

(For proposed House substitute (H-3), see e-Blue Book.)

### SECOND READING

### **HB** 5237 Rep. Drolet

Elections; political parties; ballot access; revise requirements for.

Amends sec. 685 of 1954 PA 116 (MCL 168.685).

(Reported by Committee on Redistricting and Elections.)

\_\_\_\_ 128 \_\_\_\_\_

### SB 994 Sen. Miller

Military affairs; other; military leaves and reemployment protection for members of the military who have been called to active service; clarify.

Amends sec. 3 of 1955 PA 133 (MCL 32.273).

(Reported by Committee on Veterans Affairs.) (For Senate substitute (S-1), see e-Blue Book.)

- 129 ------

# HB 5504 Rep. Rich Brown

Traffic control; driver license; criminal background checks on applicants for commercial driver license; require.

Amends sec. 312f of 1949 PA 300 (MCL 257.312f) & adds sec. 312g.

(Reported by Committee on Transportation.)

(For proposed House substitute (H-2), see e-Blue Book.)

\_\_\_\_ 130 \_\_\_\_\_

# SB 934 Sen. Gougeon

Aeronautics; other; criminal background checks on applicants for flight schools; require.

Amends sec. 85 of 1945 PA 327 (MCL 259.85) & adds sec. 85a.

(Reported by Committee on Transportation.) (For Senate substitute (S-1), see e-Blue Book.)

# SB 943 Sen. Sikkema

Transportation; carriers; penalties for the transportation of hazardous materials without a hazardous materials endorsement; increase.

Amends sec. 7c of 1963 PA 181 (MCL 480.17c).

(Reported by Committee on Transportation.)

\_\_\_\_ 132 \_\_\_\_\_

# SB 1006 Sen. Hart

Aeronautics; other; criminal background checks on applicants for flight schools; require and provide for refusal to enroll under certain circumstances.

Amends sec. 85 of 1945 PA 327 (MCL 259.85).

(Reported by Committee on Transportation.)

(For Senate substitute (S-1), see e-Blue Book.)

### **PUBLIC HEARING**

**Agriculture and Resource Management -** Tuesday, February 26, 3:15 p.m., E.C. Heffron Metrology Laboratory, 940 Venture Lane, Williamston, Michigan to tour the Michigan Department of Agriculture, E.C. Heffron Metrology Laboratory

### STANDING COMMITTEE MEETINGS

### **Appropriations -**

**Subcommittee on Agriculture -** Thursday, February 28, 8:00 a.m., Room 521, House Office Building

**Subcommittee on Consumer and Industry Services/History, Arts and Libraries -** Thursdays, February 28 and March 7, 10:00 a.m., Room 351, Capitol Building

**Subcommittee on Family Independence Agency -** Monday, February 25, 1:00 p.m., Wednesday, February 27, 8:30 a.m., and Monday, March 4, 1:00 p.m., Room 351, Capitol Building

**Subcommittee on General Government -** Wednesday, February 27, 10:30 a.m., Room 521, House Office Building

**Subcommittee on Judiciary -** Tuesday, February 26, 8:30 a.m., Room 351, Capitol Building

**Subcommittee on Michigan Economic Development Corporation/Department of Career Development/Strategic Fund Agency -** Tuesdays, February 26 and March 5, 12:30 p.m., Room 351, Capitol Building

**Subcommittee on Natural Resources and Environmental Quality -** Tuesday, February 26, 10:00 a.m., Room 424, Capitol Building

**Subcommittee on State Police/Military and Veterans Affairs -** Thursday, February 28, 10:00 a.m., Room 521, House Office Building

**Subcommittee on Transportation -** Tuesday, February 26, 10:30 a.m., Room 428, Capitol Building

### STANDING COMMITTEE MEETINGS

**Commerce -** Tuesday, February 26, 9:00 a.m., Room 519, House Office Building

**Subcommittee on Banking and Finance -** Wednesday, February 27, 10:30 a.m., Room 326, House Office Building

**Energy and Technology -** Wednesday, February 27 and Thursday, February 28, 8:00 a.m., Room 519, House Office Building

# **Health Policy -**

**Subcommittee on Increasing Access to Quality Health Care -** Tuesday, February 26, 9:00 a.m., Room 521, House Office Building

**Land Use and Environment -** Tuesday, February 26, 10:30 a.m., Room 326, House Office Building

**Local Government and Urban Policy -** Tuesday, February 26, 12:00 Noon, Room 307, House Office Building

### STATUTORY COMMITTEE MEETING

**House Fiscal Agency Governing Board -** Wednesday, March 6, 2:30 p.m., or after committees are given leave by the House to meet, whichever time is later, Room 351, Capitol Building

		BILLS IN CONFERENCE Conferees		Report Agreed to	
Bill No.	Brief Title	House	Senate	House	Senate
HB 4042	Consumer protection; home	Bradstreet	Emmons		
	solicitation	Faunce	Steil		
		Rivet	Cherry		
HB 4632	Consumer protection; home	Bradstreet	Emmons		
	solicitation	Faunce	Steil		
		Rivet	Cherry		
SJR D	State officers compensation	Patterson	McCotter		
	commission	Bisbee	Sikkema		
		Jacobs	Leland		